

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT
TSD FACILITIES - PART A

Date of Inspection 5/21/96 Time start 10:00 Time finish 11:15
Name of Inspector THOMAS STORER
Company, installation name FOOTE MINERAL COMPANY
Location 15 SOUTH BAYVIEW HILL RD FRAZER PA 19355
County CHESSTER Municipality EAST WHITELAND
Identification number PAD 077 087 989
Name of responsible official STEPHEN HODDER
Title MANAGER, TECHNICAL SERVICES
Mailing Address 348 HOLIDAY INN DRIVE, KINGS MOUNTAIN NC 28086
Area code and telephone number (704) 734-
Name of person interviewed SOME
Title SOME
Mailing address (if different from above) _____
Area code and telephone number _____

1. Site characterization:

- | | | | | |
|---|---|-----------------------------------|---|--|
| a. <input type="checkbox"/> Treatment - | <input type="checkbox"/> surface impoundments | <input type="checkbox"/> chemical | <input type="checkbox"/> physical | <input type="checkbox"/> biological |
| b. <input type="checkbox"/> Storage - | <input type="checkbox"/> containers | <input type="checkbox"/> tanks | <input type="checkbox"/> surface impoundments | <input type="checkbox"/> waste piles |
| c. <input type="checkbox"/> Disposal - | <input type="checkbox"/> land treatment | <input type="checkbox"/> landfill | <input type="checkbox"/> incineration | <input type="checkbox"/> thermal treatment |
| d. <input type="checkbox"/> Use | <input type="checkbox"/> reuse | <input type="checkbox"/> recycle | <input type="checkbox"/> reclaim | |

2. Does the facility generate hazardous waste? ☒ Yes ☐ No

3. Types of hazardous waste produced by Hazardous Waste Number:

PENDING SITE WORK AS PER RIFS.

4. Are hazardous wastes transported off-site by the facility? ☐ Yes ☒ No

FACILITY IS NOT AN ACTIVE TSD FACILITY.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of inspection 5/21/97 Identification Number PAD 077 087 989Company/Facility/Site Name Cyprus Foote Mineral, Frazer, Inc.

A routine inspection was conducted with April Flipse, HSCA Project Officer PADEP, and Stephen Hooper, Manager-Technical Services, Cyprus Foote Mineral present. Foote Mineral ceased operations in August 1991. From 1942 to 1991 Foote Mineral production operations included a variety of operations as described in Mr. Hopper's January 25, 1995, letter to the Department.

The following observations were made.

1. Building 18 contained six (6) steel drums. Two of the drums had "Flammable Solid" and "Dangerous When Wet" labels. These containers were closed but not sealed. The other four containers had no lids or labels. It was recommended and agreed Cyprus Foote Mineral characterize the contents of all six containers and manage the contents accordingly.
2. Building 26 contained one (1) 30- gallon container labeled as magnesium powder approximately $\frac{1}{4}$ full. This container should also be characterized and removed. Adjacent to this container was a five gallon container labeled as magnesium turnings.
3. The following buildings identified by number were inspected at the Frazer plant: 18, 11, 52, 26, 16, 13, 14.

A site visit was made to the former Cyprus Foote Mineral property in Exton. At this location Mr. Hooper explain the proposed work to be done in agreement with the EPA. The agreement is a result of using two underground septage tanks to dispose of lab waste until 1998 and the failure to remove sludges which have accumulated in one of the tanks. The sludges in the tank have been characterized as hazardous for TCLP Lead and still remain in the tank.

It is requested Foote mineral provide in writing the determinations made on the contents of the containers located in buildings 18 and 26 as described above and the ultimate disposition of the containers. This response can be sent to me at the address on the card provided. Any questions or comments can be directed to me at (610) 832-6182.

No other observations were made.

This inspection report is notice of the findings of an inspection conducted by a representative of the Department. This report is formal notification of any violations observed during the inspection. Additional notification of violations may be issued concerning either violations noted herein, or other violations identified as a result of review of laboratory analyses or Department records.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person interviewed (signature) MARCO D. FRASER (N.C.) Date 5/22/97
Inspector (signature) [Signature] Date 5/22/97

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT
TSD FACILITIES - PART A

Foote Mineral Co freezer TSD
Operation

Date of Inspection 2/8/95 Time start 2:00am Time finish 3:00 pm.
Name of Inspector THOMAS STORRER w/ CHRIS ZAPP - PROJECT OFFICER, DER
Company, installation name LYRUS FOOT MINERAL FREEZER
Location 15 S. BAYVIEW HILL RD MALVERN PA
County CHESTER Municipality E. WHITELAND
Identification number PAD 077087989
Name of responsible official STEVE HOPKIN
Title MANAGER, TECHNICAL SERVICES
Mailing Address 348 HOLIDAY INN DRIVE, KINGS MOUNTAIN NC 28086
Area code and telephone number (704) 734-2672
Name of person interviewed STEVE
Title STEVE
Mailing address (if different from above) STEVE
Area code and telephone number STEVE

1. Site characterization:

- a. ☐ Treatment - ☐ surface impoundments ☐ chemical ☐ physical ☐ biological
b. ☐ Storage - ☐ containers ☐ tanks ☐ surface impoundments ☐ waste piles
c. ☐ Disposal - ☐ land treatment ☐ landfill ☐ incineration ☐ thermal treatment
d. ☐ Use ☐ reuse ☐ recycle ☐ reclaim

2. Does the facility generate hazardous waste? ☒ Yes ☐ No

3. Types of hazardous waste produced by Hazardous Waste Number:

4. Are hazardous wastes transported off-site by the facility? ☐ Yes ☒ No

SITE IS UNDER REMEDIAL/INVESTIGATION PROBABILITY STUDY PERFORMANCE
NEGOTIATIONS WITH EPA

FACILITY IS NOT AN ACTIVE TSD.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of inspection February 8, 1995 Identification Number PAD 077087989Company/Facility/Site Name Cyprus Foote Mineral, Frazer Inc.

On a site visit, January 19, 1995, I found the gate to the facility locked. A phone conversation with Steve Hooper, Technical Services Manager at the North Carolina facility provided me with a phone number for the security guard.

An inspection of the site was conducted with Chet Zazo, project officer DER, present on February 8, 1995. One observation will be noted at the closed facility. Building 18 contained six (6) 55 gallon drums labelled "Flammable Solid", and one (1) 30 gallon drum labelled "Flammable Solid". Several of the 55 gallon drums lacked lids. The open drums contain a black, cider-size material. It is suggested the drums be properly sealed and labelled as to identify the contents. It is also suggested the Department be provided with a hazardous waste determination, in accordance with Hazardous Waste Regulations §262.11 if the drums contain a waste. This information can be sent to: Department of Environmental Resources

Bureau of Waste Management
Lee Park, Suite 6010
555 North Lane
Conshohocken, PA 19428
Attn: Thomas Storrer

This facility is undergoing remedial/investigation feasibility study performance negotiations with EPA.

No other observations were made.

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Person interviewed (signature) Margaret D. Frazer Date 3/22/95Inspector (signature) [Signature] Date 3/22/95

Hazardous Waste Inspection Report
TSD Facilities - Part AST-106
CHIEF
R291Date of inspection 11/25/92 Time start 10:30 Time finish _____Name of inspector APRIL FLIPSECompany, installation name CYPRUS FOOTE MINERAL, FRAZERLocation 15 S. BACTON HILL RD MALVERN PACounty CHESTER Municipality EAST WHITELANDIdentification number PAD 077087989Name of responsible official DAVID COGHLANTitle MANAGER OF SPECIAL PROJECTSMailing address 301 LINDENWOOD DRIVE SUITE 301 MALVERNArea code and telephone number 215-651-8410Name of person interviewed DAVE COGHLAN AND STEPHEN HOOPERTitle _____ MANAGER, TECHNICAL SERVICES

Mailing address (if different from above) _____

Area code and telephone number _____

1. Site characterization:

- | | | | | | |
|----|------------------------------------|---|-----------------------------------|---|--|
| a. | <input type="checkbox"/> Treatment | <input type="checkbox"/> surface impoundments | <input type="checkbox"/> chemical | <input type="checkbox"/> physical | <input type="checkbox"/> biological |
| b. | <input type="checkbox"/> Storage | <input type="checkbox"/> containers | <input type="checkbox"/> tanks | <input type="checkbox"/> surface impoundments | <input type="checkbox"/> waste piles |
| c. | <input type="checkbox"/> Disposal | <input type="checkbox"/> land treatment | <input type="checkbox"/> landfill | <input type="checkbox"/> incineration | <input type="checkbox"/> thermal treatment |
| d. | <input type="checkbox"/> Use | <input type="checkbox"/> reuse | <input type="checkbox"/> recycle | <input type="checkbox"/> reclaim | |

2. Does the facility generate hazardous wastes? ☐ Yes ☒ No

3. Types of hazardous waste produced by Hazardous Waste Number:

4. Are hazardous wastes transported off-site by the facility? ☐ Yes ☒ No

[illegible]

Inspection Report Comments

Date of Inspection 11/25/92 Identification Number PAD077087989 Facility/Site Name CYPRUS FOOTZ MINERALS

On November 25, 1992 I conducted a routine inspection of the above mentioned facility. Present for the inspection were myself, Carol Knickerbocker and ~~Carol~~ Matt Miller of the Department, and Dave Coghlan and Stephen Hooper of the facility. The following observations were made:

This facility never operated as a TSD, according to Mr. Coghlan.

The facility ceased operations in 1991. Currently there is a large storage tank removal soil bioremediation project on the site. Large piles of soil are spread throughout the facility. These piles, either were on cement pads or plastic sheeting, but no covers were placed. Soils are spreading around the site following recent heavy rainfall. Soils and water which reach the storm drain are pumped to the lined equalization basin before discharge to the West Valley Creek; there is an existing NPDES permit for this.

The south or wet quarry contains about 1/2 million tons of lithium contaminated bits, and currently does not contain any water.

The facility does not believe there are any hazardous wastes remaining on the site. They are not currently generating any wastes. Although, further clean-up efforts may again lead to waste generation. The site is on the EPA's National Priorities List.

The facility should file revised EPA notifications defining current status.

No other observations were made.

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Waste Management, inspected the above installation. This inspection report shall serve a formal notification of any violations which were observed during the inspection. Violations may also be discovered upon examination of the results of laboratory analyses and review of the Department records.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed (signature)

mailed to facility

Date

Inspector (signature)

Cipriel Flores

Date

12-1-92



EVALUATION - VIOLATION - ENFORCEMENT FORM I

HANDLER _____ **Date Submitted** _____

ID Number PADO77087989 LDF ☐ TSF ☐ INC ☐ LOG ☒ SOG ☐ TRA ☐ 09/12/91

Handler Name _____

Street Forte Mineral Co City Frazer PA

155 Bacton Hill Rd

EVALUATION Add ☒ Change ☐ Delete ☐

Date 090691 Number Agency S Type CET Reason Branch Person

Areas of Evaluation (E - Evaluated, NE - Not Evaluated, NA - Not Applicable)

<u> </u>	GOR	<u> </u>	TGR	<u> </u>	DCN	<u> </u>	DGW	<u> </u>	DMC	<u> </u>	DPP	<u> </u>	CAS	<u> </u>
<u> </u>	GPT	<u>E</u>	THR	<u> </u>	DCL	<u> </u>	DIN	<u> </u>	DMR	<u> </u>	DSI	<u> </u>	FEA	<u> </u>
GGR	<u>E</u>	GRR	<u>E</u>	TOR	DCP	<u> </u>	DLB	<u> </u>	DOR	<u> </u>	DTR	<u> </u>	<u> </u>	<u> </u>
GLB	<u>E</u>	GSC	<u> </u>	<u> </u>	DFR	<u> </u>	DLF	<u> </u>	<u> </u>	<u> </u>	DTT	<u> </u>	<u> </u>	<u> </u>
GMR	<u>E</u>	GSA	<u> </u>	TWD	DGS	<u> </u>	DLT	<u> </u>	DPB	<u>E</u>	DMP	<u> </u>	<u> </u>	<u> </u>

Comments _____

VIOLATION Add ☒ Change ☐ Delete ☐

Agency S Number Area GLB Class 2 Regulation Type Regulation Citation

Date Determined Priority Branch Person Returned to Compliance Scheduled Actual

Comments _____

VIOLATION Add ☒ Change ☐ Delete ☐

Agency S Number Area GGR Class 2 Regulation Type Regulation Citation

Date Determined Priority Branch Person Returned to Compliance Scheduled Actual

Comments _____

VIOLATION Add ☐ Change ☐ Delete ☐

Agency Number Area Class Regulation Type Regulation Citation

Date Determined Priority Branch Person Returned to Compliance Scheduled Actual

Comments _____

VIOLATION Add ☐ Change ☐ Delete ☐

Agency Number Area Class Regulation Type Regulation Citation

Date Determined Priority Branch Person Returned to Compliance Scheduled Actual

Comments _____

EVALUATION - VIOLATION - ENFORCEMENT FORM II

ID Number	Handler Name
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VIOLATION	Add	Change	Delete
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Agency #	Number #	Area #	Class #	Regulation Type	Regulation Citation
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Date Determined ▲	Priority	Branch	Person	Returned to Compliance Scheduled ▲	Actual ▲
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

VIOLATION	Add	Change	Delete
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Agency #	Number #	Area #	Class #	Regulation Type	Regulation Citation
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

Date Determined ▲	Priority	Branch	Person	Returned to Compliance Scheduled ▲	Actual ▲
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

VIOLATION	Add	Change	Delete
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Agency #	Number #	Area #	Class #	Regulation Type	Regulation Citation
----------	----------	--------	---------	-----------------	---------------------

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

Date Determined ▲	Priority	Branch	Person	Returned to Compliance Scheduled ▲	Actual ▲
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

ENFORCEMENT	Add	<input checked="" type="checkbox"/> Change	Delete
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Date #	Number #	Agency #	Type #	Branch	Person
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Penalty Assessed ▲	Settled ▲
<input type="checkbox"/>	<input type="checkbox"/>

COVERED VIOLATIONS

Agency #	Number #	Area #	Agency #	Number #	Area #	Agency #	Number #	Area #
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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PENALTY PAYMENTS

Date	Amount	Date	Amount
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comments

Hazardous Waste Inspection Report
TSD Facilities - Part A

Date of inspection 9/6/91 Time start 1015 Time finish 1030
 Name of inspector Patricia Walters
 Company, installation name Foot Mineral Co
 Location Frazer
 County Chester Municipality E. Whiteland Twp
 Identification number PAD077087989
 Name of responsible official E. A. Gadsby
 Title Technical Supervisor
 Mailing address 15 S. Butler Hill Rd Frazer, PA 19355
 Area code and telephone number (215) 644-6682
 Name of person interviewed _____
 Title _____
 Mailing address (if different from above) _____
 Area code and telephone number _____

1. Site characterization:

- | | | | | | |
|----|------------------------------------|---|-----------------------------------|---|--|
| a. | <input type="checkbox"/> Treatment | <input type="checkbox"/> surface impoundments | <input type="checkbox"/> chemical | <input type="checkbox"/> physical | <input type="checkbox"/> biological |
| b. | <input type="checkbox"/> Storage | <input type="checkbox"/> containers | <input type="checkbox"/> tanks | <input type="checkbox"/> surface impoundments | <input type="checkbox"/> waste piles |
| c. | <input type="checkbox"/> Disposal | <input type="checkbox"/> land treatment | <input type="checkbox"/> landfill | <input type="checkbox"/> incineration | <input type="checkbox"/> thermal treatment |
| d. | <input type="checkbox"/> Use | <input type="checkbox"/> reuse | <input type="checkbox"/> recycle | <input type="checkbox"/> reclaim | |

.. Does the facility generate hazardous wastes? ☒ Yes ☐ No

as of 9 Aug 1991 the company ceased all production

3. Types of hazardous waste produced by Hazardous Waste Number:

4. Are hazardous wastes transported off-site by the facility? ☒ Yes ☐ No

Hazardous Waste Inspection Report
TSD Facilities — Part B

2064

1—No Violation Observed				2—Not Applicable	3—Not Determined	4—Non-Compliance	
Status				REQUIREMENT			Chapter Citation
1	2	3	4				75.265
X				Part A permit application submitted.			(a)(2), (z)(2)
	X			Identification number.			(b)
	X			Wastes accepted at facility transported by haulers licensed to transport hazardous waste by the Department.			(b)(1)
	X			Waste streams not covered by permit approved by the Department before acceptance.			(c)(1)
	X			Chemical and physical analyses repeated as required.			(c)(1)
	X			All waste shipments inspected and sampled.			(c)(2)
	X			Waste analysis plan on-site.			(c)(3)
	X			24 hr. surveillance at active portion.			(d)(2)(i)
	X			Artificial barrier at active portion.			(d)(2)(ii)
	X			Proper signs posted and legible at a distance of at least 25 ft.			(d)(3)
	X			Inspection schedule on-site.			(e)(2)
	X			Maintenance schedule on-site for equipment or structures which reveal deterioration or malfunction.			(e)(4)
	X			Immediate remedial action taken where a hazard is imminent or has already occurred.			(e)(4)
	X			On the job or classroom personnel training program.			(f)
	X			Records retained for each employee at facility of training, job title, and job description.			(f)(6), (7)
	X			Ignitable or reactive wastes separated from source of ignition or reaction.			(g)(1)
	X			No smoking signs displayed where there are hazards from ignitable or reactive wastes.			(g)(1)
	X			Treatment, storage, disposal of ignitable or reactive wastes or mixing of incompatible wastes or materials conducted according to requirements.			(g)(2)
	X			Facility maintained/operated to minimize possibility of fire, explosion, or discharge of hazardous waste or hazardous constituents.			(h)(1)
	X			Facility equipped with internal alarm system capable of providing immediate emergency instruction to personnel.			(h)(2)(i)
	X			Facility equipped with a device for summoning outside emergency assistance.			(h)(2)(ii)
	X			Facility equipped with fire control, spill control, and decontamination equipment.			(h)(2)(iii)
	X			Facility equipped with water at adequate volume and pressure to supply fire control equipment.			(h)(2)(iv)
	X			Facility communications or alarm systems, fire control, spill control, and decontamination equipment tested and maintained.			(h)(3)
	X			Adequate aisle space maintained to allow unobstructed movement of personnel and equipment during emergencies.			(h)(6)
	X			Contingency plan on-site and implemented.			(i)(1)
	X			Contingency plan describes action taken by personnel in the event of an emergency.			(i)(3)

Hazardous Waste Inspection Report
TSD Facilities — Part B (Continued)

367

1—No Violation Observed				2—Not Applicable	3—Not Determined	4—Non-Compliance
Status				REQUIREMENT		Chapter Citation
1	2	3	4			75.265
	X			Contingency plan describes arrangements agreed to for outside emergency services such as police and fire department, hospitals, contractors, etc.		(i)(5)
	X			Contingency plan contains an up-to-date list of names, addresses and phone numbers of all persons qualified to act as emergency coordinator.		(i)(6)
	X			Contingency plan contains list of emergency equipment including location, physical description and capabilities of each item.		(i)(7)
	X			Contingency plan contains an evacuation plan if there is a possibility that evacuation could be necessary.		(i)(8)
	X			One employee designated as the primary emergency coordinator either on the premises or on call.		(i)(11)
	X			Facility accepting only PA manifests.		(j)
	X			Manifest properly completed and routed within time limits (24 hrs.)		(j)(2), (3)
	X			Manifest discrepancies resolved or reported within time limits.		(j)(10), (11)
	X			Written operating record maintained on the premises.		(k)
	X			Written operating record contains description and quantity of wastes and method of treatment, storage or disposal.		(k)(2)(i)
	X			Written operating record contains location and quantity of each hazardous waste.		(k)(2)(ii)
	X			Written operating record contains results of waste analyses and treatability tests.		(k)(2)(iii)
	X			Written operating record contains reports and details of all incidents.		(k)(2)(iv)
	X			Written operating record contains records and results of all inspections.		(k)(2)(v)
	X			Written operating record contains required monitoring, testing, and analytical data.		(k)(2)(vi)
	X			Written operating record contains closure and post-closure cost estimates		(k)(2)(vii)
	X			All records retained on premises and available for inspection.		(l)
	X			Quarterly reports submitted to the Department.		(m)
	X			Emissions, discharges, fires, explosions, and groundwater contamination reported as required.		(m)(2)
	X			Groundwater monitoring wells located at approved sites.		(n)(2)
	X			Adequate protection groundwater monitoring wells.		(n)(7)
	X			Groundwater sampling and analysis plan on the premises.		(n)(8)
	X			Groundwater quality assessment and abatement outline on the premises.		(n)(14)
	X			Closure plan on the premises and up-to-date.		(o)(2)—(9)
	X			Post-closure plan on the premises and up-to-date.		(o)(10)—(19)
	X			Annual closure cost estimate on the premises and up-to-date.		(p)(2)—(4)
	X			Annual post-closure cost estimate on the premises and up-to-date.		(p)(5)—(7)

Commonwealth of Pennsylvania
Department of Environmental Resources
Bureau of Waste Management^{TSD}
Inspection Report CommentsDate of Inspection 9/6/91 Identification Number PAD077087989Company/Facility/Site Name Forte Mineral Co

On 6 Sept '91 I conducted an unannounced inspection of Cyprus Forte Mineral Co to determine the company's TSD status. I interviewed Mr E.A. Gadsby, technical supervisor who stated that the facility has never been a TSD and produced a letter sent to EPA stating such, copy attached. ~~A facility~~ ^{A facility} is permanently shut-down.

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the Chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Waste Management, inspected the above installation. The findings of this inspection are shown in this report. This inspection report shall serve a formal notification of any violations which were observed during the inspection. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Additional notification may be forthcoming, concerning any violations indicated herein and listing any additional violations.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Inspector
Person Interviewed (signature) Patricia A. Walter Date 9/6/91
Interviewee
Inspector (signature) E. A. Gadsby Date 9/6/91
Page 4 of 4



Hazardous Waste Inspection Report
Generators - Part A

Date of inspection 9/6/91 Time start 1045 Time finish 1230

Name of inspector Patricia Walters

Company, installation name Forte Mineral Co

Location Freaser

County Chester Municipality E. Whiteland Twp

Identification number PAD077087989

Name of responsible official E. A. Gadsby

Title Tech Sup

Mailing address 15 S Bacton Hill Rd Freaser, PA 19355

Area code and telephone number (215) 644-2900

Name of person interviewed E. A. Gadsby

Title Tech Sup

Mailing address (if different from above) _____

Area code and telephone number _____

1. Current waste handling method:

- | | | | | | |
|----|--|--|--|--|---|
| a. | <input checked="" type="checkbox"/> On-site | <input type="checkbox"/> treatment, | <input checked="" type="checkbox"/> storage, | <input type="checkbox"/> disposal | <input type="checkbox"/> PBR |
| b. | <input type="checkbox"/> On-site | <input type="checkbox"/> use, | <input type="checkbox"/> reuse, | <input type="checkbox"/> recycle, | <input type="checkbox"/> reclaim |
| c. | <input checked="" type="checkbox"/> Off-site | <input type="checkbox"/> treatment, | <input type="checkbox"/> storage, | <input checked="" type="checkbox"/> disposal | |
| d. | <input checked="" type="checkbox"/> Off-site | <input checked="" type="checkbox"/> use, | <input type="checkbox"/> reuse, | <input type="checkbox"/> recycle, | <input checked="" type="checkbox"/> reclaim |

2. Amount of hazardous waste produced:

- a. No waste currently produced kg./mo.
- b. was considered SxG kg./yr.

3. Types of hazardous waste produced by Hazardous Waste Number and destination facility (include location and type).

Waste Number	Destination Facility	Location and Type
U122	Frontier Chem	Niagara Falls, NY
D001	Marisel Inc	Middlesex, NJ
E005	Marisel Inc	Middlesex, NJ
D007	Inmetco	Ellwood City, PA
D002	Environmental Enterprises	Cincinnati, OH
D003	B.D.T. Inc	Clarence, NY

Hazardous Waste Inspection Report
Generators - Part B

1-No Violation Observed				2-Not Applicable	3-Not Determined	4-Non-Compliance
Status				REQUIREMENT		Chapter Citation
1	2	3	4			262
X				Hazardous waste determination, copies available		.11
X				Identification number		.12(a)
X				Hazardous waste shipments offered only to licensed transporters		.12(d)
X				Authorization received from TSD facility for wastes shipped off-site		.13
X				PA manifest used for intrastate shipments		.20(b)
X				Disposer state manifest or EPA format manifest used for out-of-state shipments		.20(c)
X				Manifests filled out properly and completely		.20(g), b)
X				Manifests routed properly and within time limits (7 days)		.23(c, d, f, g, i)
		X		Proper U.S. DOT shipping containers or packages		.30(1)
		X		Shipping containers marked and labeled according to U.S. DOT		.30(2)
X				Containers of 110 gal. or less marked with required PA label		.30(3)
		X		Placards offered to transporter		.33
X				Wastes accumulated on-site for less than 90 days		.34(1)
X				Wastes stored in proper containers and properly marked and labeled		.34(2)
			X	Containers managed in accordance with 265.171-.177		.34(3)
X				Containers clearly marked with accumulation date and visible for inspection		.34(4)
		X		Records retained at designated location for 20 years		.40
X				Quarterly reports submitted to the Department		.41
X				Exception reporting procedures followed		.42
	X			Hazardous waste disposal plan, if required		.45
	X			Spill reporting procedures followed		.46(a)
	X			Preparedness, Prevention and Contingency Plan and implemented 265.51-.54		.34(a)(5), .46(e)
	X			Special requirements followed for international shipments		50.53.55.60
		X		On the job or classroom personnel training program 265.16		.34(a)(5)
X				Drum accumulation area inspected weekly as per 265.174		.34(a)(3)
X				Manifests legible (all copies)		.23(h)
	X			Tanks managed in accordance with 265.190-.195		.34(a)(2)
	X			Preparedness and Prevention as per 265.31-.37		.34(a)(5)
	X			Emergency Procedures as per 265.55-.56		.34(a)(5)

Hazardous Waste Inspection Report

Land Disposal Restriction Supplemental Checklist

1-No Violation Observed				2-Not Applicable	3-Not Determined	4-Non-Compliance
Status				REQUIREMENT		Citation
1	2	3	4			40 CFR Part 268
				Generators		
			X	Notification sent with shipments of wastes that do not meet treatment standards.		7(a)(1)
			X	Notification and certification sent with shipments of wastes meeting treatment standards.		7(a)(2)
X				Dilution not used as a substitute for treatment.		3
			X	Records maintained of notifications, certifications, waste analysis, and documentation supporting use of knowledge for waste classification.		7(a)(5), (a)(6)
				Storage Facilities		
	X			Facility verifies generators classification of waste in accordance with waste analysis plan.		25 Pa Code 265.13(c)
	X			Containers marked to identify contents and accumulation date.		50(a)(2)
	X			Notification sent with shipments of wastes that do not meet treatment standards.		7(a)(1)
	X			Notification and certification sent with shipments of wastes meeting treatment standards.		7(a)(2)
	X			Facility maintains records of documents produced pursuant to LDR requirements.		7(a)(6)
				Treatment Facilities, including PBR and RRR Facilities		
	X			Dilution not used as a substitute for treatment.		3
	X			Facility tests wastes or treatment residues to determine compliance with applicable treatment standards in accordance with waste analysis plan.		7(b)
	X			Certification and/or notification sent with shipments of waste.		7(b)(4), (b)(5), (b)(6)
				Land Disposal Facilities		
	X			Facility tests wastes received to assure compliance with applicable treatment standards.		7(c)(2)
	X			Facility land disposes of restricted waste only if it meets applicable treatment standard.		40
	X			Facility retains copies of generator notifications and certifications.		7(c)(1)

Inspection Report Comments

Date of Inspection 9/6/91 Identification Number PAD077087289Company/Facility/Site Name Forte Mineral Co.

On 6 Sept 91 I conducted a routine unannounced inspection of the above referenced facility. The facility is currently shut down and will remain closed permanently. All waste is being consolidated and identified for off-site disposal. A TCLP and Land Ban disposal check were conducted. No Land Ban Cert was available for manifest # 221975-1 dated 07/19/91. Container storage area does not have containment (for at least 10% of volume). No other violations were observed. Since the facility has shut down permanently many of the processing lines must be cleaned up. This clean-up will produce larger quantities of hazardous waste than were normally associated with production processes. Hence might make the facility a large quantity generator. Facility should insure hazardous waste drum storage area is inspected weekly.

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the Chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Waste Management, inspected the above installation. The findings of this inspection are shown in this report. This inspection report shall serve a formal notification of any violations which were observed during the inspection. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Additional notification may be forthcoming, concerning any violations indicated herein and listing any additional violations.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed (signature)

E. G. Gadsby

Date

9/6/91

Inspector (signature)

Patricia S. Walker

Date

9/6/91

Page ____ of ____





FOOTE MINERAL COMPANY

Route 100, Exton, Pennsylvania 19341

(215) 363-6500

Telex 835492

TWX 510-668-9142

17 January 86

U. S. E. P. A., Region III
841 Chestnut Street
Philadelphia, PA 19107

Attention: Ms. Shirley Bulkin

Gentlemen:

Subject: Foote Mineral Company - Frazer Plant
EPA-ID No. PAD 077 087 989

On 2 July 85, our G. B. Kneass, Vice President, wrote to you with a filled out Part A application for registration as a hazardous waste generator. Two things have changed since then. First, we have an opinion from our lawyers, Shea and Gardner, see copy attached dated 13 December 85. Second, Foote has confirmed a plan of action for calendar 1986 to assure that our recycling of nitrided lithium metal will be sufficiently complete to comply with the definition. The definition calls for "75% of the accumulated metal recycled during the calendar year."

For the reasons given above, Foote believes that the Frazer plant will, in fact, not be a generator of hazardous waste through its generation of nitrided lithium metal. There will be generation of very small quantities, less than 100 kg/mo. of a chromate bearing filter cake. Historically, the maximum annual quantity of this filter cake has been 1,500 pounds, and for the last few years the quantity has been diminishing because of the shrinking market for the chromate-bearing product. Other hazardous wastes generated occasionally are in the order of a few pounds per month. All hazardous wastes have been, and are expected to continue to be, taken by Resource Technology Services, Inc., through their Conshohocken, Pennsylvania, facility for disposal.

U. S. E. P. A., Region III

-2-

17 January 86

Therefore, in summary we conclude that the Frazer plant will not need to be registered as a hazardous waste generator. If you have any different conclusion, please let us know.

Very truly yours,

A handwritten signature in dark ink, appearing to read "DL Bruce". The letters are cursive and somewhat stylized.

D. L. Bruce
Operations Manager

DLB:df1

cc: Mr. Larry Lusk
Pennsylvania DER
1875 New Hope Street
Norristown, PA 19401

RECEIVED

SHEA & GARDNER

DEC 16 1985

1800 MASSACHUSETTS AVENUE, N. W.
WASHINGTON, D. C 20036

FOOTE MINERAL CO.
CHEM. MIN. DIV.

FRANCIS M. SHEA
WARNER W. GARDNER
LAWRENCE J. LATTO
RICHARD T. CONWAY
ROBERT T. BASSECHES
BENJAMIN W. BOLEY
RALPH J. MOORE, JR.
MARTIN J. FLYNN
STEPHEN J. POLLAK
DAVID BOOTH BEERS
ANTHONY A. LAPHAM
RICHARD M. SHARP
JOHN D. ALDOCK
WILLIAM S. MOORE
JOHN TOWNSEND RICH
LOUIS M. KAUDER
JAMES R. BIEKE
I. MICHAEL GREENBERGER

WILLIAM F. SHEEHAN
R. JAMES WOOLSEY
FREDERICK C. SCHAFFRICK
DAVID B. COOK
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THOMAS R. ANDREWS
WILLIAM R. HANLON
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SUZANNE E. MEEKER
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LAURA S. WERTHEIMER

RICHARD M. WYNER
CYNTHIA W. SIMON
SCOTT R. MCINTOSH
A. KIMBERLEY DAYTON
BETSY J. GREY
DORA S. WELSH

December 13, 1985

14/6
Conf. to R.M. Jacobson
G.B. Kneen
Hand to H.K. Grady

Mr. David B. Coghlan
Manager, Special Projects
Foote Mineral Company
Route 100
Exton, Pennsylvania 19341

Re: Application of RCRA Definition of Hazardous Waste
to Off-Specification, Nitrided Lithium Metal
Processed by Foote at Silver Peak, Nevada

Dear Mr. Coghlan:

You have asked for our advice on whether the off-specification, nitrided lithium metal, currently processed at Foote's facility in Silver Peak, Nevada, to recover lithium carbonate, would be deemed a "hazardous waste" under the regulations implementing the Resource Conservation and Recovery Act (RCRA). The facts, as we understand them, are as follows: The off-specification, nitrided lithium metal is, in part, produced at Foote's plant in Frazer, Pennsylvania, and, in part, produced under contract by duPont. It is then shipped to Foote's facility at Silver Peak, where it is hydrolyzed in ponds to produce lithium carbonate. The lithium carbonate is a usable product, which is then shipped to other Foote facilities where it is made into other lithium products. The nitrided lithium metal is not, and never has been, thrown away or otherwise abandoned by Foote. This material exhibits the characteristics of reactivity and ignitability, which are identified as hazardous-waste characteristics, but it is not specifically listed as a hazardous waste in any of the lists of such wastes promulgated by the U.S. Environmental Protection Agency (EPA) and found in 40 C.F.R. Part 261, Subpart D.

The question whether this material is a hazardous waste for RCRA purposes is governed by EPA's regulations in 40 C.F.R. Part 261, Subpart A (copy of relevant provisions attached). Under those regulations, in order to be a "hazardous waste," a material must first fall within the definition of "solid waste" in § 261.2, and then must fall within the subset of "solid wastes" that are considered "hazardous wastes," as defined in § 261.3. It is

SHEA & GARDNER

Mr. David B. Coghlan
December 13, 1985
Page 2

clear that, if the nitrated lithium metal is a "solid waste," it is a "hazardous waste," since it is not excluded from regulation as a hazardous waste under § 261.4(b), and since it exhibits characteristics of hazardous wastes identified in Subpart C (namely, reactivity and ignitability). See § 261.3(a). The real questions, then, is whether it is a "solid waste" under § 261.2. That regulation was amended on January 4, 1985, effective July 5, 1985. 50 Fed. Reg. 614 (Jan. 4, 1985).

Under § 261.2(a), a "solid waste" is any non-excluded "discarded material"; and "discarded material" is any material that is "abandoned," "recycled," or "inherently waste-like," as explained in the remaining subsections of § 261.2. The nitrated lithium metal is clearly not "abandoned" under § 261.2(b), since it is not "disposed of," "burned or incinerated," or stored prior to such abandonment. Nor is it "inherently waste-like" under § 261.2(d). It takes more analysis, however, to determine whether it is a "recycled" solid waste. Under §§ 261.2(c) and 261.2(e), that determination depends on: (1) the type of material involved (i.e., whether it is a "spent material," "sludge," "by-product," or "commercial chemical product"), and (2) the type of recycling activity involved (i.e., whether the material is "used in a manner constituting disposal," "burned for energy recovery," "reclaimed," "accumulated speculatively," or "used or reused" as an ingredient in an industrial process).

After reviewing the definitions of the types of materials in § 261.1(c), it seems clear that the nitrated lithium metal is not a "spent material," "sludge," or "commercial chemical product," but is a "by-product" -- i.e., "a material that is not one of the primary products of a production process and is not solely or separately produced by the production process" (§ 261.1(c)(3)). It also seems clear that it is not "used in a manner constituting disposal" (e.g., "applied to or placed on the land in a manner that constitutes disposal") under § 261.2(c)(1) or "burned for energy recovery" under § 261.2(c)(2). Furthermore, we do not think that the nitrated lithium metal would be considered "used or reused" under the definition in § 261.1(c)(5), since it is not used as an ingredient to make a wholly new product (or employed as a substitute for a commercial product), but rather is processed to recover a distinct component of the metal (namely, lithium) as an end product. Hence, it appears that the lithium metal would be regarded as either "reclaimed" or "accumulated speculatively." The determination of which of these two types of activities applies here is critical, because, under the provisions of § 261.2(c) (Table 1), a "by-product" that exhibits a characteristic of hazardous waste but is not specifically listed in § 261.31 or 261.32 (which is the case with the nitrated lithium metal here) is not a solid waste if reclaimed but is a solid waste if accumulated speculatively.

The processing of the nitrated lithium metal by Foote would seem to fit within the definition of "reclaimed" in § 261.1(c)(4) -- i.e., "processed to recover a usable product." However, if a material is accumulated for too long a time and in too large amounts before it is reclaimed, it will not be

SHEA & GARDNER

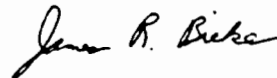
Mr. David B. Coghlan
December 13, 1985
Page 3

considered "reclaimed" but "accumulated speculatively" and thus deemed to be a waste. Under the definition in § 261.1(c)(8), a material is "accumulated speculatively" if it is "accumulated before being recycled," unless the person accumulating it can show (a) "that the material is potentially recyclable and has a feasible means of being recycled" and (b) "that -- during the calendar year (commencing on January 1) -- the amount of material that is recycled, or transferred to a different site for recycling, equals at least 75 percent by weight or volume of the amount of that material accumulated at the beginning of the period." Foote should be able easily to show the first of these facts. If it can also show the second -- i.e., that during the calendar year the amount of nitrated lithium metal transferred to Silver Peak for processing equals at least 75% of the amount of that metal accumulated at the beginning of the year -- then the metal would not be considered to be "accumulated speculatively" but rather to be "reclaimed" and hence would not be a "solid waste."

In summary, we conclude, on the basis of the facts as we understand them and from a review of the relevant EPA regulations, that the off-specification, nitrated lithium metal processed at Silver Peak (a non-listed "by-product") would not be considered a hazardous waste for RCRA purposes so long as Foote can show that at least 75% of the accumulated metal is processed (i.e., reclaimed) during the calendar year.

Please let me know if you have any questions about this matter.

Sincerely yours,



James R. Bieke

JRB:bls

Attachment



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

Southeast Region
Suite 6010 Lee Park
555 North Lane
Conshohocken, PA 19428
215-832-6000

September 11, 1991

E.A. Gadsby
Technical Supervisor
Foote Mineral Company
15 S. Bacton Hill Rd.
Frazer, PA 19355

Re: Hazardous Waste Inspection
PAD077087989 Sept 6, 1991
East Whiteland Twp
Chester County

NOTICE OF VIOLATION

Dear Mr. Gadsby:

This letter is to confirm the findings of the Department's referenced inspection of your hazardous waste activities. Requirements for hazardous waste facilities are contained in Chapters 260 through 270 of the Rules and Regulations of the Department. Violations of applicable sections of these regulations found during our inspection are as follows:

1. §265.178(a) - Container storage areas shall have a containment system capable of collecting and holding spills, leaks and precipitation. The in-door hazardous waste storage has no containment area.

You are hereby notified of both the existence of these violations as well as the need to provide for their prompt correction. Toward this end, you are requested to submit to the Department within fourteen (14) days a proposed program and schedule for the abatement of these violations. The Department's inspection report contains time periods of completion of remedial actions. These reports are either enclosed or have been previously supplied to you. If your proposed abatement program indicates certain corrections cannot be completed within these time periods, you are requested to supply justification for any extensions.



Mr. Gadsby
September 11, 1991
-2-

This letter does not waive, either expressly or by implication, the power or authority of the Commonwealth of Pennsylvania to prosecute for any and all violations of law arising prior to or after the issuance of this letter or the conditions upon which the letter is based. This letter shall not be construed so as to waive or impair any rights of the Department of Environmental Resources, heretofore or hereafter existing.

This letter shall also not be construed as a final action of the Department of Environmental Resources.

If you have any questions concerning this matter, please feel free to contact me at (215) 832-6000.

Very truly yours,

Patricia Walters

Patricia Walters
Waste Management Specialist

cc: Mr. Bonner
Compliance
U.S.EPA
Division of Compliance & Monitoring
Re

SUBJECT: RCRA Inspection - Joste Mineral Co - Frazer, Pa.
PAD 077087989

TSD
PA
DATE: 7/11/88

FROM: 9K Gregory A. Koltonuk, [REDACTED]
RCRA Enforcement Section (3HW)
15

TO: File

THRU: VICKY BINETTI, CHIEF - RCRA ENFORCEMENT SECTION, 3HW15
8/18/88

BASED UPON A REVIEW OF THE RCRA INSPECTION REPORT FOR THE FACILITY
REFERENCED ABOVE, I HAVE DETERMINED THAT NO FURTHER ACTION IS
REQUIRED AT THIS TIME.

Hazardous Waste Inspection Report
Generators - Part A

rec'd 6/16

Date of inspection June 7, 1988 Time start 9:30 Am Time finish 11:30 Am
Name of inspector Brian K. Boyd
Company, installation name Foote Mineral Co. - Frazer Operations
Location 15 Bacton Hill Rd. Frazer, Pa. 19355
County Chester Municipality East Whiteland
Identification number PAD 077087989
Name of responsible official Dennis Muskal
Title Plant Operations Manager
Mailing address 15 S. Bacton Hill Road
Area code and telephone number 215 644-2900
Name of person interviewed Dennis Muskal
Title _____
Mailing address (if different from above) _____
Area code and telephone number _____

1. Current waste handling method:

SEE Comments Page

- | | | | | | |
|----|-----------------------------------|-------------------------------------|-----------------------------------|-----------------------------------|----------------------------------|
| a. | <input type="checkbox"/> On-site | <input type="checkbox"/> treatment, | <input type="checkbox"/> storage, | <input type="checkbox"/> disposal | <input type="checkbox"/> PBR |
| b. | <input type="checkbox"/> On-site | <input type="checkbox"/> use, | <input type="checkbox"/> reuse, | <input type="checkbox"/> recycle, | <input type="checkbox"/> reclaim |
| c. | <input type="checkbox"/> Off-site | <input type="checkbox"/> treatment, | <input type="checkbox"/> storage, | <input type="checkbox"/> disposal | |
| d. | <input type="checkbox"/> Off-site | <input type="checkbox"/> use, | <input type="checkbox"/> reuse, | <input type="checkbox"/> recycle, | <input type="checkbox"/> reclaim |

2. Amount of hazardous waste produced:

- a. _____ kg./mo.
b. _____ kg./yr.

3. Types of hazardous waste produced by Hazardous Waste Number:

4. Are hazardous wastes transported off-site by the generator? ☐ Yes ☐ No

Inspection Report Comments

Date of Inspection 6/7/88 Identification Number PAD 077087989
Company/Facility/Site Name Foot Mineral Co. Frazer Operations

An inspection was performed at the above facility on 6/7/88, in response to a complaint filed with the Department. The inspection was performed with Mr. Dennis Maskal who is the Plant Mgr. Mr. Maskal was unable to answer specific questions pertaining to hazardous wastes generated on-site, so a reinspection will be performed when the proper contact (Mr. E.A. Gadsby) is available. The inspection did reveal an area of concern in which lithium hydroxide is discharged directly to the surface of the ground. Pure Lithium metal is delivered to the facility in 55-gal drums. The drums are heated, the Lithium metal is poured out. The top of the drum is removed and the drums are placed up-side down, on wooden pallets which are on the ground surface. Residual lithium left in the drum is then allowed to oxidize forming Lithium Hydroxide. This material flakes off of the drums and onto the ground.

The facility has presently hired Weston, Inc. to evaluate and assess any contamination associated with this process.

I will also discuss this process in detail when Mr. Gadsby is available - (6/13/88).

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the Chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Waste Management, inspected the above installation. The findings of this inspection are shown in this report. Any violations which were observed during the inspection are indicated. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Notification may be forthcoming, confirming any violations indicated herein and listing any additional violations.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed (signature) Not Available Date _____

Inspector (signature) Guin K. Bayl Date 6/8/88

SUBJECT: RCRA Inspection - *FOOTE MINERAL - EXTON, PA*
PAD 077087789

DATE: *9/29/87*

9/K
M: Gregory A. Koltonuk, Environmental Scientist
PA-RCRA Enforcement Section (3HW11)

File

u: Peter W. Schaul, Chief
PA-RCRA Enforcement Section (3HW11)

BASED UPON A REVIEW OF THE RCRA INSPECTION REPORT FOR THE FACILITY
REFERENCED ABOVE, I HAVE DETERMINED THAT NO FURTHER ACTION IS
REQUIRED AT THIS TIME.

HAZARDOUS WASTE INSPECTION REPORT
Generators - Part A

EPA Region III
Greg Koltanuk

506

rec'd 9/11

Date of inspection September 4, 1987 Time start 11:00 Time finish 12:00

Name of inspector Mark Rosenberger

Company, installation name Foots Mineral

Location Route 100, Exton PA 19341

County Chester Municipality W. Whiteland Twp

Identification number PA007087989

Name of responsible official H.R. Giedy / Howard Horro

Title V.P. & General Manager / Development Engineer

Mailing address Route 100, Exton PA 19341

Area code and phone no. (215) 363-6500

Name of person interviewed Gene

Title "

Mailing address (if different from above) "

Area code and phone no. "

1. Current waste handling method:

- a. ☐ On-site ☐ treatment ☐ storage, ☐ disposal
- b. ☐ On-site ☐ use, ☐ reuse, ☐ recycle, ☐ reclaim
- c. ☒ Off-site ☐ treatment, ☐ storage, ☒ disposal
- d. ☐ Off-site ☐ use, ☐ reuse, ☐ recycle, ☐ reclaim

2. Amount of hazardous waste produced:

a. 350 kg./mo.

b. kg./yr.

3. Types of hazardous waste produced by Hazardous Waste Number:

8001, 8003

4. Are hazardous wastes transported off-site by the generator? ☐ Yes ☒ No

HAZARDOUS WASTE INSPECTION REPORT
Part C - Comments

Date of Inspection September 4, 1987 Identification Number PAB077087989
Company, Installation Name Foot Mineral
County Chlor Municipality W. Whiteland Twp.

On September 4, 1987, I conducted an inspection of the above captioned facility. This inspection was prompted by the fire that occurred on July 14, 1987 to see if any contamination to the surrounding area had occurred. There were no signs of contamination and oil stops to contain and clean-up the lithium were successful.

I also conducted an inspection at the Battery Building 201 where they generate Hexane w/mineral oil as a waste stream. This material is leaked away by Chemclene. Foot Mineral has not received Copy 3 from TSD facility for two manifests.

PAB4770791 8/31/87

PAB 4770231 5/27/87

Copy of EPA Small Quantity Generator Requirements and the Sept. Small Quantity Regulations were mailed to Foot Mineral on 9/9/87.

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Solid Waste Management, inspected the above installation. The findings of this inspection are shown in this report. Any violations which were uncovered during the inspection are indicated. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Notification will be forthcoming, confirming any violations indicated herein and listing any additional violations.

Person Interviewed (signature) JHR Study

Date 9/4/87

Inspector (signature) Mark Bomberger

Date 9/4/87

E.P.A.
G. Kellman



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

Ridley Creek State Park
E. Sycamore Mills Road
Media, Pennsylvania 19063
215 565-1687

[Handwritten signature]

September 12, 1988

CERTIFIED MAIL NO. P-593 924 099

Mr. E. A. Gadsby
Cypress/Foote Mineral Company
15 South Bacton Hill Rd.
Frazer, PA 19355

Re: Inspections - June 7, 1988,
August 9, 1988
East Whiteland Township
Chester County

PAD 077087989
TSD

NOTICE OF VIOLATION

Dear Mr. Gadsby:

The Department has recently conducted inspections of your facility located at 15 South Bacton Hill Road. During the June 7, 1988 inspection, I observed the Lithium Processing area which is located adjacent to the "Wet" and "Dry" quarries. My observations have concluded that the processing of empty lithium drums (to remove residual lithium) allows lithium hydroxide to fall directly onto the ground surface. This condition is in violation of the Pennsylvania Solid Waste Management Act (Act 97) and the Rules and Regulations of the Department. Section 302 of Act 97 states:

- (a) It shall be unlawful for any person or municipality to dispose, process, store, or permit the disposal, processing or storage of any residual waste in a manner which is contrary to the rules and regulations of the Department or to any permit or to the terms or conditions of any permit or any order issued by the Department.
- (b) It shall be unlawful for any person or municipality who stores, processes, or disposes or residual waste to fail to:
 - (1) Use such methods and facilities as are necessary to control leachate, runoff, discharges and emissions from residual waste in accordance with Department regulations.
 - (2) Use such methods and facilities as are necessary to prevent the harmful or hazardous mixing of wastes.
 - (3) Design, construct, operate and maintain facilities and areas in a manner which shall not adversely effect or endanger public health, safety and welfare or the environment or cause a public nuisance.

Mr. E. A. Gadsby
September 12, 1988

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During my August 9, 1988 inspection, I observed that this area has been covered and diked with asphalt in an attempt to impede the discharge of lithium hydroxide to the soil, surface waters and ground water. This containment pad was not designed to adequately contain or convey precipitation to a holding tank or treatment system. This pad should be modified such that all precipitation can be contained or conveyed to a treatment system.

Additionally, it is very probable that this process has caused soil and/or groundwater and/or surface water contamination due to the manner in which processing occurred. The Department requests that the contamination in this area be assessed. If contamination is revealed, remediation should be proposed.

Also during the inspection we discussed several other areas located on the property in which past waste disposal practices have occurred. These areas also should be assessed and remediated (if needed). In our discussions you had stated that Roy F. Weston has recently performed an environmental assessment of the property. This assessment covers the above Lithium Processing area, in addition to many other areas of the property. The Department requests a copy of this report so that we may more accurately assess the existing conditions of the site.

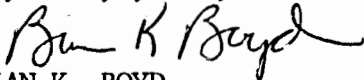
You are hereby notified of the above conditions as well as the need to provide abatement. Toward this end you are to submit to this office within (14) fourteen days of receipt of the notice, a proposed program and schedule for abatement of those conditions.

This letter does not waive, either expressly or by implication, the power or authority of the Commonwealth of Pennsylvania to prosecute for any and all violations of law arising prior to or after the issuance of this letter or the conditions upon which the letter is based. This letter shall not be construed so as to waive or impair any rights of the Department of Environmental Resources, heretofore or hereafter existing.

This letter shall also not be construed as a final action of the Department of Environmental Resources.

If you have any questions concerning this matter, please feel free to contact me at 565-1687.

Very truly yours,



BRIAN K. BOYD
Waste Management Specialist

cc: East Whiteland Township
Ms. Roncetti
Mr. Bobek

Ridley File
Central File
Re 30 (4P6)228.2